

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2006 Legislative Session

Legislative Day # 5

BILL NO. 2006- 07

Introduced by: Charles County Commissioners

**PUBLIC NOTIFICATION OF
SUBDIVISION AND SITE DEVELOPMENT PLANS**

Date introduced: 04 / 03 / 2006

Public Hearing: 05 / 02 / 2006 @ 2:00 p.m.

Commissioners Action: / / 2006 _____

Commissioner Votes: WC:____, RF:____, AS:____, EP:____, CQK:____

Pass/Fail:

Effective Date: / / 2006 12:01 a.m.

Remarks:

NOTE: CAPITALS indicate matter added to existing text.
[Brackets] indicate matter deleted from existing law.
~~Strikeouts~~ indicate matter deleted since Introduction of Bill.
Underlines indicate matter added since Introduction of Bill.

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2006 Legislative Session

Bill No. 2006-07

Chapter. No. 297

Introduced by Charles County Commissioners

Date of Introduction April 3, 2006

BILL

1 AN ACT concerning

2
3 PUBLIC NOTIFICATION OF SUBDIVISIONS AND SITE DEVELOPMENT PLANS

4
5 FOR the purpose of

6
7 Providing information to the public of proposed new residential subdivision and
8 commercial sites by posting the site of the development.

9
10
11 BY adding:

12
13 Chapter 297 - Zoning Regulations

14 ARTICLE I, § 10, Subdivision and commercial site informational postings

15 *Code of Charles County, Maryland*

16 (May 2004 Edition)

1 **SECTION 1. BE IT ENACTED BY THE COUNTY**
2 COMMISSIONERS OF CHARLES COUNTY, MARYLAND, that the Laws of Charles
3 County, Maryland read as follows:
4

5 **§ 297-10. PUBLIC NOTIFICATION**
6

7 **IT IS THE INTENT OF THE COUNTY COMMISSIONERS THAT THE**
8 **PUBLIC BE NOTIFIED OF PROPOSED RESIDENTIAL SUBDIVISIONS AND**
9 **COMMERCIAL DEVELOPMENT AND TO ALLOW THEM THE**
10 **OPPORTUNITY TO REVIEW SAID PLANS AND INQUIRE ABOUT THE**
11 **DEVELOPMENT ACTIVITY.**
12

13 **A. A PUBLIC NOTICE SIGN SHALL BE POSTED IN ACCORDANCE**
14 **WITH SUBPARAGRAPH D BELOW ON THE DATE OF SUBMISSION**
15 **TO THE DEPARTMENT OF PLANNING AND GROWTH**
16 **MANAGEMENT OF A SITE DEVELOPMENT PLAN FOR NEW**
17 **CONSTRUCTION.**
18

19 **B. A PUBLIC NOTICE SIGN SHALL BE POSTED IN ACCORDANCE**
20 **WITH SUBPARAGRAPH D BELOW FOR EVERY SUBDIVISION**
21 **CONSISTING OF FIVE OR MORE LOTS.**
22

23 **C. A PUBLIC NOTICE SIGN SHALL BE POSTED IN ACCORDANCE**
24 **WITH SUBPARAGRAPH D BELOW FOR EVERY SITE**
25 **DEVELOPMENT PLAN FOR NEW CONSTRUCTION OR EVERY**
26 **SUBDIVISION CONSISTING OF FIVE LOTS OR MORE LOCATED IN**
27 **THE TOWNS OF LA PLATA OR INDIAN HEAD THAT ABUTS A**
28 **COUNTY ROAD.**
29

D. THE FOLLOWING REQUIREMENTS MUST BE FULFILLED ON THE DATE OF APPLICATION FOR EITHER A PRELIMINARY SUBDIVISION PLAN OR A SITE DEVELOPMENT PLAN APPROVAL:

- (1) PUBLIC NOTICE SIGN(S) MUST BE OBTAINED FROM PLANNING AND GROWTH MANAGEMENT.**
- (2) A PUBLIC NOTICE SIGN, MEASURING NOT LESS THAN 2' X 3', SHALL BE POSTED ON THE PROPERTY WITHIN FIVE (5) FEET OF THE PUBLIC ROW-OF-WAY. THE SIGN MUST BE CLEARLY VISIBLE TO THE PUBLIC FROM THE ROADWAY.**
- (3) IF A PROPERTY HAS MORE THAN ONE FRONTAGE ON A PUBLIC ROAD, A SIGN MUST BE POSTED ON ALL ADDITIONAL FRONTAGES.**
- (4) THE PUBLIC NOTICE SIGN(S) MUST REMAIN LEGIBLE AND VISIBLE ON THE POSTED LOCATION FOR AT LEAST SIXTY (60) DAYS FROM DATE OF SUBMISSION.**
- (5) WITHIN FIVE (5) DAYS OF THE DATE UPON WHICH THE PUBLIC NOTICE PERIOD HAS EXPIRED, THE APPLICANT SHALL REMOVE ALL PUBLIC NOTICE SIGNS FROM THE PROPERTY.**

D. PROOF OF COMPLIANCE.

- (1) AN AFFIDAVIT SHALL BE SIGNED AND RETURNED TO THE PLANNING OFFICE WITHIN FIVE DAYS OF PLAN APPLICATION.**
- (2) A DATE-STAMPED PHOTO SHOWING THE PLACEMENT OF THE SIGN ON THE SUBJECT PROPERTY SHALL BE RETURNED WITH THE AFFIDAVIT.**

1 **(3) TEN (10) DAYS PRIOR TO REMOVAL OF THE SIGN(S), A**
2 **SIGNED AFFIDAVIT AND DATE STAMPED PHOTOGRAPH OF**
3 **THE SIGN PLACEMENT MUST BE SUBMITTED TO PLANNING**
4 **AND GROWTH MANAGEMENT.**

5
6 **E. FINAL APPROVAL OF A SITE PLAN OR PRELIMINARY PLAN**
7 **SUBJECT TO THIS NOTICE REQUIREMENT SHALL NOT BE ISSUED**
8 **UNTIL THE PUBLIC NOTIFICATION PERIOD HAS EXPIRED.**
9 **FAILURE TO PROPERLY POST A PUBLIC NOTICE IN COMPLIANCE**
10 **WITH THIS SECTION WILL DEFER PLANNING COMMISSION OR**
11 **STAFF APPROVAL OF A SUBMITTED PRELIMINARY PLAN OR SITE**
12 **PLAN UNTIL SUCH TIME AS THE NOTIFICATION REQUIREMENTS**
13 **HAVE BEEN SATISFIED. HOWEVER, THE FAILURE TO PROVIDE**
14 **NOTIFICATION AS REQUIRED IN THIS SECTION SHALL NOT BE**
15 **USED AS GROUNDS TO DENY, VOID OR**
16 **OTHERWISE NULLIFY A PENDING PRELIMINARY PLAN OR SITE**
17 **PLAN APPLICATION.**

1 **SECTION 2.** BE IT FURTHER ENACTED, that this Act shall take
2 effect ten (10) calendar days after it becomes law.
3

4 **CHARLES COUNTY COMMISSIONERS**

5
6 _____
7 Wayne Cooper, President
8

9 _____
10 Robert J. Fuller
11

12 _____
13 Allan R. Smith
14

15 _____
16 Edith J. Patterson
17

18 _____
19 Candice Quinn Kelley
20

21
22
23 _____
24 Denise Ferguson, Clerk